

Message Text

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ORIGIN DOE-11

INFO OCT-01 EUR-12 ISO-00 EB-08 SOE-02 AID-05 CEA-01
CIAE-00 COME-00 DODE-00 H-01 INR-10 INT-05 L-03
NSAE-00 NSC-05 OMB-01 PM-05 USIA-06 OES-07 SP-02
SS-15 STR-07 TRSE-00 ACDA-12 /119 R

DRAFTED BY DOE:RGOODWIN:CJR
APPROVED BY EB/ORF/FSE:GAROSEN
EB/ORF/FSE:RRMARTIN
DOE/IEA:DOLIVER

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P 081913Z MAR 78
FM SECSTATE WASHDC
TO AMEMBASSY PARIS PRIORITY

C O N F I D E N T I A L STATE 059428

FOR USOECD

E.O. 11652: GDS

TAGS: ENRG, FR

SUBJECT: U.S. RECORD-KEEPING REQUIREMENTS FOR THE IEA
ALLOCATION SYSTEM TEST

PLEASE PASS FOLLOWING MESSAGE TO DR. LANTZKE FROM
GERALD ROSEN, WITH COPY TO HUFFELMANN

1. WE HAVE DISCUSSED WITH DR. KOENIG HIS CONCERNS WITH
RESPECT TO INFORMATION AND DATA WHICH THE U.S. GOVERNMENT
REPRESENTATIVES WOULD REMOVE FROM THE TEST SITE IN
CONNECTION WITH THEIR MONITORING OF THE SECOND IEA

ALLOCATION SYSTEMS TEST. PRIOR TO A RECENT TELEX FROM
THE SECRETARIAT AND OUR DISCUSSION WITH DR. KOENIG, THE
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U.S. GOVERNMENT HAD ASSUMED THAT THE APPROACH AGREED
UPON WITH RESPECT TO THE FIRST ALLOCATION SYSTEMS TEST
WOULD BE ACCEPTABLE THIS TIME AS WELL. WE ARE SERIOUSLY
CONCERNED THAT ADDITIONAL RESTRICTIONS COULD PREVENT
THE U.S. FROM FULFILLING ITS LEGAL OBLIGATION TO COMPILE
A QUOTE FULL AND COMPLETE RECORD UNQUOTE OF THE TEST, AND
THUS MAKE U.S. APPROVAL OF U.S. COMPANY PARTICIPATION

IN THE TEST IMPOSSIBLE.

2. WE ARE AWARE OF THE SENSITIVE NATURE OF SOME OF THE INFORMATION WHICH WILL BE COMPILED IN THE TEST, AND WE DESIRE TO COOPERATE IN PROTECTING SUCH INFORMATION. ACCORDINGLY, THE U.S. CAN AGREE TO THE FOLLOWING PROCEDURE WHICH WAS THE PROCEDURE DURING THE FIRST ALLOCATION SYSTEMS TEST:

A. QUESTIONNAIRE B'S FILED BY NESOS, QUESTIONNAIRE A'S OF NON-U.S. REPORTING COMPANIES, AND DERIVATIVE FORMATS CONTAINING SUCH DATA IN DISAGGREGATED FORM WILL NOT BE COLLECTED BY THE U.S. GOVERNMENT AS PART OF ITS QUOTE FULL AND COMPLETE RECORD UNQUOTE UNLESS SUCH MATERIAL IS COMMUNICATED BEYOND THE ISAG TO U.S. REPORTING COMPANIES.

B. WITH RESPECT TO DISCUSSIONS OF CONFIDENTIAL FOREIGN COMPANY OR COUNTRY INFORMATION, THE U.S. AGREES THAT, WITHIN THE LIMITATIONS OF ITS STATUTORY RESPONSIBILITIES, U.S. RECORDS WILL REFER TO SUCH TRANSACTIONS SO AS TO MINIMIZE THE INCLUSION OF PRECISE DATA.

C. THE U.S. IS WILLING TO ALLOW THE SECRETARIAT TO REVIEW THE U.S. RECORD PRIOR TO THE TRANSMISSION OF THAT RECORD TO WASHINGTON. IN THIS WAY, THE SECRETARIAT CONFIDENTIAL

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WILL HAVE THE OPPORTUNITY TO POINT OUT AREAS OF POSSIBLY SENSITIVE INFORMATION.

D. THE U.S. WILL, AS IN THE PAST, MAINTAIN AN APPROPRIATE SECURITY CLASSIFICATION WITH RESPECT TO THIS DATA AND INFORMATION.

3. WE BELIEVE THE ABOVE APPROACH ADEQUATELY PROTECTS THE INTERESTS OF NON-U.S. COMPANIES AND FOREIGN NESOS WITH RESPECT TO DATA IN U.S. RECORDS. WE BELIEVE THAT THE TYPE OF PROCEDURE OUTLINED ABOVE IS AS FAR AS THE U.S. CAN GO IN THE FORMULATION OF RECORD-KEEPING REQUIREMENTS WHICH SATISFY THE IEA CONCERNS AS WELL AS U.S. LAW.

4. IN ORDER TO BE ABSOLUTELY CLEAR, THE FOLLOWING ARE THE TYPES OF INFORMATION WHICH WOULD BECOME PART OF THE U.S. RECORD:

(A) ALL U.S. GOVERNMENT MONITORS' NOTES AND MINUTES.

(B) ANY TRANSCRIPTS WHICH MAY BE TAKEN.

(C) ALL RECORDS MAINTAINED BY ISAG MEMBERS (INCLUDING TELEPHONE LOGS) WHICH ARE REQUIRED BY U.S. REGULATIONS.

(D) ALL DOCUMENTS MADE AVAILABLE TO ISAG MEMBERS

EXCEPT TO THE EXTENT EXCLUDED BY PARAGRAPHS 2A AND 2B ABOVE.

(E) ALL TELEXES AND OTHER COMMUNICATIONS TO WHICH A U.S. COMPANY OR U.S. ISAG MEMBER IS A PARTY.

5. THE U.S. CLEARANCE LETTER AND RECORD-KEEPING GUIDELINES INDICATE THAT THE ISAG MAY KEEP RECORDS ON CONFIDENTIAL

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BEHALF OF U.S. REPORTING COMPANIES. THIS INCLUDES BOTH TELEXES AND TELEPHONE LOGS. ALTHOUGH WE COULD REQUIRE TELEXES TO BE SENT TO WASHINGTON AS WELL AS PARIS, WE STRONGLY BELIEVE THAT THE SYSTEM FOR CENTRALIZED COLLECTION OF THE OFFICIAL U.S. RECORD OF THE TEST IS HIGHLY BENEFICIAL FOR THE CONDUCT OF THE INTERNATIONAL ALLOCATIONS SYSTEM TEST. BY ASSURING REPORTING COMPANIES THAT THEIR RECORD-KEEPING RESPONSIBILITIES WILL BE MINIMAL, WE ENCOURAGE REPORTING COMPANY PARTICIPATION AND ADD TO THE EFFICIENCY OF THE INTERNATIONAL ALLOCATION SYSTEM. IN OUR VIEW, IT WOULD REQUIRE A PROBLEM OF OVERWHELMING MAGNITUDE TO JUSTIFY CHANGING THIS SYSTEM. ANY SUCH CHANGE WOULD ENDANGER THE SUCCESS OF THE TEST AND OF THE EMERGENCY ALLOCATION SYSTEM. THE U.S. DOES NOT BELIEVE THAT THE EXPRESSED CONCERN WITH RESPECT TO SENSITIVITY OF THE RELEVANT DOCUMENTS RISES TO THIS LEVEL OF SIGNIFICANCE. INDEED, IF OTHER COUNTRIES INSIST ON RECORDS WITH RESPECT TO OIL COMPANIES UNDER THEIR JURISDICTION, WE WOULD NOT OBJECT TO THEIR ACCESS TO SUCH RECORDS.

6. FINALLY, WE HAVE REVISED THE PROPOSED CLEARANCE LETTER AND RECORD-KEEPING GUIDELINES TO TAKE ACCOUNT OF THE OTHER COMMENTS SUBMITTED BY THE SECRETARIAT IN ITS TELEX. THESE COMMENTS WERE MOST HELPFUL.

7. I WILL TELEPHONE YOU ON THURSDAY TO DISCUSS THE ABOVE ISSUES. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INFORMATION CONTROL
Control Number: n/a
Copy: SINGLE
Draft Date: 08 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE059428
Document Source: CORE
Document Unique ID: 00
Drafter: RGOODWIN:CJR
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780104-1165
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
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Legacy Key: link1978/newtext/t19780391/aaaaczjj.tel
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Litigation Code IDs:
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Litigation History:
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Office: ORIGIN DOE
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 17 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3400404
Secure: OPEN
Status: NATIVE
Subject: U.S. RECORD-KEEPING REQUIREMENTS FOR THE IEA ALLOCATION SYSTEM TEST PLEASE PASS FOLLOWING MESSAGE TO DR. LANTZKE FROM
TAGS: ENRG, FR, US, IEA
To: PARIS
Type: TE
vdkgvkey: odbc://SAS/SAS.dbo.SAS_Docs/63f10fcb-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014